

Remarks

Claims 44-78 have been cancelled and new claims 79-98 have been added leaving claims 79-98 pending in the application. New claims 79-98 are supported by the Specification at, for example, Figures 1-7, and pages 6-16. As such, claims 79-98 do not constitute new matter. Applicants request prosecution on the merits of claims 79-98.

The pending claims are allowable for at least the reason the cited references neither teach nor suggest their limitations. For example, claim 79 recites an ionization source that includes a sample inlet and an electrically conductive conduit coupled to the sample inlet. Claim 79 also recites that the conduit has a first end and a second end with the first end configured to receive a sample from the sample inlet and the second end configured to discharge the sample from the sample conduit. Claim 79 continues by reciting an electrically conductive reference device positioned proximate the second end of the conduit with the reference device and the conduit having an ionization area therebetween. Claim 79 further recites that the conduit and reference device are configured to ionize at least a portion of the sample within the ionization area, and an ion analyzer configured to receive at least some of the portion of the sample.

The previously pending claims had been rejected as obvious in view of Andrien, Jr. et al (US 6,326,616) in various combinations with other references. The cited references do not teach or suggest all the limitations of claim 79. For example, the Examiner has directed applicants to structures 3 and/or 8 of Andrien to meet the limitation of an electrically conductive conduit and structure 4 to meet the limitation of a reference device. Claim 79 recites an electrically conductive conduit and an electrically conductive reference device proximate the second end of the conduit with

the conduit and device configured to ionize at a portion of a sample within an ionization area between the device and the conduit. The structures of the Andrien reference, for example, are not configured as recited in claim 79. Andrien describes the formation of charged liquid droplets by Electrospraying the sample solution from probe tip 12 (Col. 6, lines 9-11). Andrien goes to describe the formation of ions from these droplets and the driving of these ions and charged droplets to capillary entrance 11 via electric fields established from voltages applied to ES probe tip 12, cylindrical lens 2, endplate 3 with attached nosepiece 8, and capillary entrance electrode 4. (Id.) An interpretation of Andrien, that structures 3/8 and 4 are configured to ionize at least a portion of the sample as recited in claim 79, is neither taught or described by Andrien and further would render the teachings of Andrien useless as Andrien only describes the necessary formation of ions prior to being driven to these structures. For at least the reasons that the cited references do not teach or suggest all the elements of claim 79, claim 79 is allowable.

Claims 80-89 depend from claim 79 and are allowable for at least the reasons given above regarding claim 79.

Claims 89-98 are allowable for these same reasons as well as other patentable distinctions.

Claims 79-98 are believed to be in immediate condition for allowance. Applicants request allowance of these claims in Examiner's next action.

Respectfully submitted,

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